## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE COLUMBIA DIVISION

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)	No. 1:13-cv-00029
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)	Chief Judge Haynes
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## ORDER

Plaintiff, J.R. Morris, a state detainee at the Maury County Jail in Columbia, Tennessee, filed this *pro se* action under 42 U.S.C. § 1983 (Docket Entry No. 1), and filed his application to proceed *in forma pauperis* (Docket Entry No. 2). Plaintiff's application to proceed as a pauper was signed and notarized by a jail official verifying that Plaintiff had no funds to his credit at the jail. Because Plaintiff's submission establishes his financial inability to pay the full \$350.00 filing fee in advance, the application (Docket Entry No. 2) is hereby **GRANTED**.

Pursuant to 28 U.S.C. § 1915(b), Plaintiff is nonetheless assessed the \$350.00 civil filing fee. The Administrator of the Maury County Jail is **DIRECTED** to submit to the Clerk of Court, as an initial payment, the greater of: (a) 20% of the average monthly deposits to Plaintiff's credit at the jail; or (b) 20% of the average monthly balance to Plaintiff's credit for the six-month period immediately preceding the filing of the complaint. 28 U.S.C. § 1915(b) (1). Thereafter, the custodian shall submit 20% of Plaintiff's preceding monthly income (or income credited to Plaintiff for the preceding month), but only when Plaintiff's monthly income exceeds \$10.00. 28 U.S.C. §

1915(b)(2). Payments shall continue until the \$350.00 filing fee has been paid in full to the Clerk

of Court. 28 U.S.C. § 1915(b)(3).

The Clerk of Court MUST send a copy of this order to the Administrator of the Maury

County Jail to ensure compliance with that portion of 28 U.S.C. § 1915 pertaining to the payment

of the filing fee. If Plaintiff is transferred from his present place of confinement, the Administrator

must ensure that a copy of this order follows Plaintiff to his new place of confinement, for continued

compliance herewith. All payments made pursuant to this order must be submitted to the Clerk of

Court for the Middle District of Tennessee.

In accordance with the Memorandum filed herewith, this action is DISMISSED with

**prejudice** for failure to state a claim for relief. Any appeal of this Order would not be in good faith

as required by 28 U.S.C. § 1915(a)(3).

This is the Final Order in this action.

It is so **ORDERED**.

ENTERED this the day of May, 2013.

United States District Court

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